

AMENDED IN ASSEMBLY JULY 11, 2007

AMENDED IN ASSEMBLY JUNE 28, 2007

AMENDED IN SENATE MAY 1, 2007

AMENDED IN SENATE APRIL 9, 2007

SENATE BILL

No. 666

Introduced by Senator Maldonado

February 23, 2007

An act to add Sections 7574.5, ~~7574.6~~, and 7574.7 to the Business and Professions Code, relating to security services.

LEGISLATIVE COUNSEL'S DIGEST

SB 666, as amended, Maldonado. Proprietary security services.

Existing law, the Proprietary Security Services Act, requires a person who meets the definition of a proprietary private security officer to register with the Department of Consumer Affairs.

This bill would require a proprietary private security officer to complete a course on the power to arrest prior to employment. ~~The bill would also require these proprietary private security officers to complete at least 32 hours of training in security officer skills within a specified period of time.~~ The bill would require the department to develop and approve a standard course and curriculum for the skills training, to be administered by an employer, an organization, or a school approved by the department. For that purpose, the bill would require the department to convene an advisory committee composed of specified parties in order to develop a curriculum that features certain *skills*, courses, ~~as specified and hours of instruction.~~ ~~The bill would require that the course of training on the power to arrest cover specified subjects and also be administered by an employer, an organization, or a school approved by~~

~~the department.~~ The bill would exempt peace officers meeting certain criteria from this requirement. The bill would make these provisions applicable on and after July 1, 2009, to any person hired as a proprietary private security officer on and after January 1, 2009, and for a person hired before January 1, 2009, these provisions would become applicable on and after January 1, 2010.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7574.5 is added to the Business and
2 Professions Code, to read:

3 ~~7574.5. (a) A person entering into employment as a proprietary~~
4 ~~private security officer shall complete a course in the exercise of~~
5 ~~the power to arrest prior to providing security services for his or~~
6 ~~her employer.~~

7 ~~(b)–~~

8 7574.5. (a) Except for a person who has completed the course
9 of training required by Section 7583.45, a person registered
10 pursuant to this chapter shall complete ~~not less than 32 hours of~~
11 ~~training in security officer skills within six months from the date~~
12 ~~upon which evidence of registration is issued. Sixteen of the 32~~
13 ~~hours shall be completed within 30 days from the date evidence~~
14 ~~of registration is issued, or within six months of his or her~~
15 ~~employment with a proprietary private security officer employer.~~

16 ~~(e)–~~

17 (b) A course provider shall issue a certificate to a proprietary
18 private security officer upon satisfactory completion of a required
19 course, conducted in accordance with the department's
20 requirements. An employer of a proprietary private security officer
21 may provide training programs and courses in addition to the
22 training required in this section. ~~A registrant who is unable to~~
23 ~~provide his or her employer the certificate of satisfactory~~
24 ~~completion required by this subdivision shall complete 16 hours~~
25 ~~of the training required by subdivision (b) within 30 days of the~~
26 ~~date of his or her employment and shall complete the 16 remaining~~
27 ~~hours within six months of his or her employment date.~~

28 ~~(d)–~~

(c) The department shall develop and approve by regulation a standard course and curriculum for the skills training required by subdivision ~~(b)~~ (a) to promote and protect the safety of persons and the security of property. For this purpose, the department shall, before June 30, 2008, convene an advisory committee consisting of security directors at proprietary facilities, *including, but not limited to, sports or entertainment complex owners, retailers, and restaurants*, labor organizations representing security officers, law enforcement representatives, representatives of the Commission on Peace Officer Standards and Training, subject matter experts, and other interested parties *in order* to develop a curriculum for the training of proprietary security officers that features ~~at least 24 hours of courses that are common to all security personnel and at least 16 hours of elective courses that are unique to each officer worksite.~~ *skills, courses, and a minimum number of hours of instruction appropriate to a proprietary private security officer's worksite or industry. The advisory committee shall not include any representation from private patrol operators, or any trade association representing private patrol operators or security guards or officers.*

~~(e)~~

(d) The course of training required by subdivision ~~(b)~~ (a) may be administered, tested, and certified by any *proprietary private security officer* employer, organization, or school approved by the department. The department may approve any ~~person~~ *proprietary private security officer employer, organization, or school* to teach the course.

~~(f)~~

(e) (1) On and after January 1, 2009, ~~an~~ *a proprietary private security officer* employer shall annually provide each employee registered pursuant to this chapter with ~~eight hours of~~ specifically dedicated review or practice of security officer skills prescribed ~~in either the course required in this section or Section 7574.6.~~ *section. The minimum number of hours shall be established by regulation pursuant to the recommendations of the advisory committee.*

(2) ~~An~~ *A proprietary private security officer* employer shall maintain at the principal place of business or branch office a record verifying completion of the review or practice training for a period

1 of not less than two years. The records shall be available for
2 inspection by the department upon request.

3 ~~(g)–~~

4 ~~(f)~~ This section does not apply to a peace officer as defined in
5 Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2
6 of the Penal Code who has successfully completed a course of
7 study in the exercise of the power to arrest approved by the
8 Commission on Peace Officer Standards and Training. This section
9 does not apply to armored vehicle guards.

10 SEC. 2. ~~Section 7574.6 is added to the Business and Professions~~
11 ~~Code, to read:~~

12 ~~7574.6. (a) The course of training in the exercise of the power~~
13 ~~to arrest may be administered, tested, and certified by any~~
14 ~~employer, organization, or school approved by the department.~~
15 ~~The department may approve any person or school to teach the~~
16 ~~course in the exercise of the power to arrest. The course of training~~
17 ~~shall be approximately eight hours in length and shall cover the~~
18 ~~following topics:~~

19 ~~(1) Responsibilities and ethics in citizen arrest.~~

20 ~~(2) The relationship between a proprietary private security~~
21 ~~officer and a peace officer in making an arrest.~~

22 ~~(3) Limitations on proprietary private security officer power to~~
23 ~~arrest.~~

24 ~~(4) Restrictions on searches and seizures.~~

25 ~~(5) Criminal and civil liabilities.~~

26 ~~(A) Personal liability.~~

27 ~~(B) Employer liability.~~

28 ~~(6) Trespass law.~~

29 ~~(7) Ethics and communications.~~

30 ~~(8) Emergency situation response, including response to medical~~
31 ~~emergencies.~~

32 ~~(9) Proprietary private security officer safety.~~

33 ~~(10) Any other topic deemed appropriate by the department.~~

34 ~~(b) The majority of the course shall be taught by means of verbal~~
35 ~~instruction. This instruction may include the use of a video~~
36 ~~presentation.~~

37 ~~(c) The department shall make available a guidebook as a~~
38 ~~standard for teaching the course in the exercise of the power to~~
39 ~~arrest. The department shall encourage additional training and may~~

1 ~~provide a training guide recommending additional courses to be~~
2 ~~taken by security personnel.~~

3 ~~(d) An employer shall provide a copy of the guidebook described~~
4 ~~in subdivision (c) to each person that the employer currently~~
5 ~~employs as a proprietary private security officer and to each~~
6 ~~individual that the employer intends to hire as a proprietary private~~
7 ~~security officer. The employer shall provide the guidebook to each~~
8 ~~person he or she intends to hire as a proprietary private security~~
9 ~~officer a reasonable time prior to the time the person begins the~~
10 ~~course in the exercise of the power to arrest.~~

11 ~~(e) The department may inspect, supervise, or view the~~
12 ~~administration of the test at any time and without any prior~~
13 ~~notification. Any impropriety in the administration of the course~~
14 ~~or the test shall constitute grounds for disciplinary action.~~

15 ~~SEC. 3.~~

16 *SEC. 2.* Section 7574.7 is added to the Business and Professions
17 Code, to read:

18 *7574.7. Sections 7574.5 and 7574.6 Section 7574.5 shall apply*
19 *on and after July 1, 2009, to any person hired as a proprietary*
20 *private security officer on and after January 1, 2009. For a person*
21 *hired as a proprietary private security officer before January 1,*
22 *2009, these sections that section shall apply on and after January*
23 *1, 2010.*